

**REMARKS**

Reconsideration and allowance of this application are respectfully requested in view of the above amendments and discussion below.

Applicants invention involves a method for operating a device having a starter-generator for a vehicle containing an internal combustion engine in order to stabilize the speed of the engine by using a friction clutch positioned between a flywheel generator and the engine wherein the flywheel is connected with the gearbox. The method involves decoupling the flywheel generator from the combustion engine before the engine is started and subsequently bringing the flywheel generator into connection with an energy source until the flywheel has reached a specified speed. Then, in the next step, the combustion engine is connected to the flywheel generator by the friction clutch.

Claims 7-14 have been rejected under 35 U.S.C. §112, first paragraph, as containing subject matter not described in the specification. More particularly, the claims have been indicated as disclosing that the clutch may be opened or closed depending on the speed however, according to the rejection, it is not disclosed how such tasks are accomplished.

Applicants respectfully traverse this rejection on the grounds that the system shown in Fig. 2 and described in the specification including gearboxes and their operation either in the case of mechanical friction clutch 2 or an automated friction clutch are described at paragraphs 0042 and 0043.

Furthermore, the synchronization of the gearbox for the friction clutch 2 being opened or closed is a function of the engine dynamics of a control system for the engine. In any event it is known to those skilled in the art how to make and use the claimed invention based on the disclosure, the drawing of Fig. 2 and known methods of shifting at certain speeds in automatic gear changing systems. The present invention is not addressed to a new electronic or hydraulic shifting device. The present invention is addressed to a method of operating a particular type of engine-friction clutch-flywheel generator- gearbox system in order to improve the smoothness of operation of the engine. The accomplishment of those method steps, once disclosed as the particular steps to be taken, for the particular engine-clutch-flywheel generator arrangement is well known to those skilled in the art. In other words, normal automobile and gear shifting control system designed to shift at certain occurrences speeds are known in the art.

Claim 17-24 have also been rejected under 35 U.S.C § 112, second paragraph as being indefinite for failing to particular point out and distinctly claim the invention as detailed at item 5 on pages 3 and 4 of the patent office action.

In response this rejection, Applicants have amended claim 7 to address each of the objected to features by either cancelling them or amending them to provide a proper antecedent basis. Likewise claims 8, 9 and 10 have been modified to provide a complete claim structure which meets the requirements of

35 U.S.C. §112 without adding new matter and which is supported by the originally filed specification.

Claims 7, 9, 11 and 12 have been rejected under 35 U.S.C. §103 as unpatentable over the reference to Schutten, U.S. Patent No. 5, 821,630 in view of King et al., U.S. Patent No. 6,507,128 and Masberg et al., U.S. Patent No. 6,202,776 for the reasons indicated at item 7 on pages 4-5 of the patent office action. Claims 8, 10, 13 and 14 have been indicated as allowable if rewritten to overcome the rejection under 35 U.S.C. §112, second paragraph, and to include the limitations of the base claims and the any intervening claims.

Applicants respectfully traverse the rejection of claims 7, 9, 11 and 12 on the grounds that there are several method steps in independent claim 7 not shown by the references or their combination.

The only one of the cited references which disclose that the flywheel may be coupled or decoupled from the engine shaft is the reference to King et al. which has a U.S. filing date of May 23, 2001 whereas the present application has a claimed priority date of September 27, 2000. Certified copies of the priority document have been acknowledged.

Additionally, it is noted that claims 7, 9, 11 and 12 were rejected on the prior art based on the Examiner's best understanding of those claims as indicated at page 4. The claims are now responsive to the Examiner's objection under 35 U.S.C. §112 and it is submitted that even if all of the references could be combined, the specific method steps defined by claim 7 are not available.

That is, assuming for purposes of arguments that the references show each of the features even including the reference to King, there is no showing of the specific method of operation steps provided by independent claim 7.

The drawings were objected to under 35 U.S.C. § 1.83 as not showing every feature of the invention. More specifically it was indicated that the friction clutch being opened, as disclosed in claim 9, and the clutch being closed, as disclosed in claim 10, must be shown.

Applicants respectfully traverse this requirement on the grounds that claim 9 and claim 10 are method claims and the structural feature referred to in the method claims is the friction clutch 2 which is shown in the drawings. The condition of such clutch is not a structural feature and is part of a method claim. It would be similar to having a method of an operating an engine with the engine being required to be labelled as operating or non-operating.

Therefore, Applicants submit that the drawings meet the requirements of 35 U.S.C. §1.83.

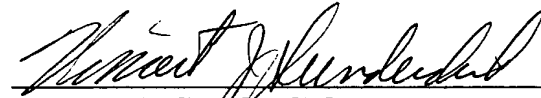
In view of the distinguishing features between the claimed invention and the references and in view of the amendments to the claims structure to obviate the rejections under 35 U.S.C. §112, second paragraph, and in view of the sufficiency of the disclosure to meet the requirements of 35 U.S.C. §112, first paragraph, for the invention as claimed in the method claims 7-14, Applicants respectfully request that this application containing independent claim 7 and dependent claims 8-14 be allowed and be passed to issue.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #225/50424).

Respectfully submitted,

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